

BAY AREA LEGAL AID
LISA GREIF, State Bar No. 214537
NAOMI YOUNG, State Bar No. 105041
ROBERT P. CAPISTRANO, State Bar No. 70382
1735 Telegraph Avenue
Oakland, California 94612
Telephone: 510-663-4744
Facsimile: 510-663-4740
Email: lgreif@baylegal.org
nyoung@baylegal.org
bcapistrano@baylegal.org

NATIONAL HOUSING LAW PROJECT
JAMES R. GROW, State Bar No. 83548
KENT QIAN, State Bar No. 264944
703 Market St. Suite 2000
San Francisco, CA 94103
Telephone: 415-546-7000
Facsimile: 415-546-7007
Email: jgrow@nhlp.org
kqian@nhlp.org
Attorneys for Plaintiffs PARK VILLAGE APARTMENTS TENANTS
ASSOCIATION, FOSTER, et al.

E-FILED

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

PARK VILLAGE APARTMENTS
TENANTS ASSOCIATION, WILLIAM
FOSTER, SHIRLEY SMITH, ANAHID
ISSAHAKIAN, PATRICIA JOHNSON,
MARTIN KOCH, LAWRENCE LEE,
FOSTER REUBEN, MARIA LILLIAN
SANCHEZ, ALISON WRIGHT and
CORNELIUS WEEKLEY,

Plaintiffs,

v.

MORTIMER HOWARD TRUST,
MORTIMER R. HOWARD,

Defendants.

Case No. C-09-4780 EDL

**STIPULATION TO MODIFY
TRIAL PREPARATION
SCHEDULE AND TRIAL;
~~PROPOSED~~ ORDER AS
MODIFIED**

Pursuant to Federal Rule of Civil Procedure 16(b)(4), Plaintiffs, PARK VILLAGE APARTMENT TENANTS ASSOCIATION, et al. (Plaintiffs) and Defendants, MORTIMER HOWARD TRUST and MORTIMER HOWARD (Defendants), in the above-entitled action, by and through respective counsel, hereby request that the Court's Case Management and Pretrial Order for Jury Trial dated January 25, 2012 (Document #85) be modified to accommodate the ongoing settlement discussions between the parties. The current Order establishes the following schedule:

Non-expert discovery cut-off:	June 12, 2012
Initial expert disclosure deadline:	July 31, 2012
Rebuttal expert disclosure:	August 31, 2012
Expert discovery cut-off:	September 14, 2012
Dispositive motion filing deadline:	June 26, 2012
Hearing of dispositive motions:	July 31, 2012
Pre-trial conference:	October 30, 2012 at 2:00 p.m.
Trial:	November 19, 2012 at 8:30 a.m.

A Settlement Conference is currently scheduled for June 22, 2012 at 9:30 a.m. with Magistrate Judge Beeler. Three continuances of the Settlement Conference have been granted by the Court in recognition of the parties continuing progress toward a negotiated settlement. In an effort to continue the discussions and build on the progress already made, the parties are also requesting in a separately filed request that the currently scheduled settlement conference be continued.

The parties have engaged in productive settlement negotiations for the past 60 days and are in the process of drafting a settlement agreement and other documents. In order to continue the substantial progress made to date, the parties propose the following modification of the trial preparation and trial schedule:

Non-expert discovery cut-off:	August 14, 2012
Initial expert disclosure deadline:	September 28, 2012
Rebuttal expert disclosure:	October 12, 2012
Expert discovery cut-off:	October 31, 2012
Dispositive motion filing deadline:	August 28, 2012

Hearing of dispositive motions:

October 2, 2012

Pre-trial conference:

December 18, 2012 at 2:00 p.m

Trial:

January 14, 2013 at 8:30 a.m.

RESPECTFULLY SUBMITTED,

BAY AREA LEGAL AID

Lisa S. Greif

Naomi Young

Robert Capistrano

NATIONAL HOUSING LAW PROJECT

James R. Grow

Kent Qian

Dated: June 8, 2012

/s/ Lisa S. Greif

Lisa S. Greif

Attorneys for Plaintiffs

SWIHART AND ASSOCIATES

Thomas Swihart

Dated: June 8, 2012

/s/ Thomas M. Swihart

Thomas M. Swihart

Attorneys for Defendants

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this efiled document.

Dated: June 8, 2012

Bv: /s/ Lisa S. Greif
LISA S. GREIF
Attorneys for Plaintiffs

ORDER

Good cause appearing therefore, IT IS SO ORDERED.

DATED: June 11, 2012

